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UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
OFFICE OF THE SECRETARY
WASHINGTON, D.C.

Issued by the Department of Transportation on October 17, 2003

NOTICE OF ACTION TAKEN -- DOCKET OST 2003-14872- 4

This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Applicant: CANADIAN WESTERN AIRLINES INC. Date Filed: April 4, 2003, as supplemented August 14, 2003

Relief requested: Exemption from 49 USC section 41301 to permit the applicant to conduct scheduled, combination services between any point or points in Canada and any point or points in the United States.

If renewal, date and citation of last action: New authority.

Applicant representative: Glenn A. Dickinson, 604-233-9292 DOT analyst: Allen F. Brown, 202-366-2405

Responsive pleadings: None.

DISPOSITION

Action: Approved.

Action date: October 17, 2003

Effective dates of authority granted: October 17, 2003, through October 17, 2004.

Basis for approval (bilateral agreement/reciprocity): United States-Canada Air Transport Agreement (Agreement)

Except to the extent exempted/waived, this authority is subject to the terms, conditions, and limitations indicated: Standard exemption conditions.

Special conditions/Remarks: We found that the applicant is operationally and financially qualified to conduct its proposed operations and is substantially owned and effectively controlled by citizens of its homeland. Also, the FAA advised us that it knows of no reason to withhold this authority. In the conduct of these operations, the carrier must adhere to all applicable provisions of the U.S.-Canada Agreement, and may only use aircraft designed to have a maximum passenger capacity of not more than 60 seats or a maximum payload capacity of not more than 18,000 pounds.

Action taken by: Paul L. Gretch, Director, Office of International Aviation

Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) our action was consistent with Department policy; (2) grant of the authority was consistent with the public interest; and (3) grant of the authority would not constitute a major regulatory action under the Energy Policy and Conservation Act of 1975. To the extent not granted/deferred/dismissed, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within seven (7) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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